

1 District Judge Marsha J. Pechman
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 XU LI and BRIGHT LIFE
10 INTERNATIONAL INC.,

11 Plaintiffs,

12 v.
13 KRISTI NOEM, *et al.*,

14 Defendants.

Case No. 2:23-cv-01931-MJP

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
[PROPOSED] ORDER

Noted for Consideration:
July 21, 2025

15 For good cause, Plaintiffs and Defendants, by and through their counsel of record, pursuant
16 to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate
17 and move to continue to stay these proceedings through September 3, 2025. Plaintiffs bring this
18 litigation pursuant to the Administrative Procedure Act to challenge U.S. Citizenship and
19 Immigration Services (“USCIS”) denial of the Form I-140 filed on Plaintiff Xu Li’s behalf as
20 erroneous, arbitrary and capricious and contrary to law. This case is currently stayed through July
21 22, 2025. Dkt. No. 24.

22 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
23 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
24 control the disposition of the causes on its docket with economy of time and effort for itself, for

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UNITED STATES ATTORNEY
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1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
 2 P. 1.

3 The parties continue to work towards resolution of this litigation. As previously reported,
 4 Plaintiffs withdrew their Form I-140, Petition for Alien Worker, to cure deficiencies and refile a
 5 Form I-140. This has been delayed due to difficulties in obtaining records from overseas. Once
 6 the new Form I-140 is filed, USCIS will consider this new application separately from the Form
 7 I-140 at issue in this litigation. Once USCIS issues a decision, Plaintiffs agree to voluntarily
 8 dismiss this litigation.

9 Plaintiffs require additional time to re-file the Form I-140. Therefore, the parties believe
 10 good cause exists to continue to stay this proceeding, to save the parties and the Court from
 11 spending unnecessary time and judicial resources on this matter. Accordingly, the parties jointly
 12 stipulate and request that the Court continue to stay these proceedings through September 3, 2025.
 13 The parties will submit a joint status report on or before September 3, 2025.

14 DATED this 21st day of July, 2025.

15 Respectfully submitted,

16 TEAL LUTHY MILLER
 17 Acting United States Attorney

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Attorneys for Defendants

I certify that this memorandum contains 311
 words, in compliance with the Local Civil Rules.

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 [Case No. 2:23-cv-01931-MJP] - 2

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1 **[PROPOSED] ORDER**

2 The Parties having stipulated and agreed, it is hereby ORDERED that this proceeding is
3 stayed until September 3, 2025. The Parties shall file a joint status report on or before September
4 3, 2025.

5 DATED this 22 day of July 2025.
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10 MARSHA J. PECHMAN
11 United States District Judge
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